

**Introduced by Senator Monning**

February 20, 2014

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An act to add Section 98120 to the Public Utilities Code, relating to transit.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1236, as introduced, Monning. Santa Cruz Metropolitan Transit District.

Existing law provides for the creation of the Santa Cruz Metropolitan Transit District, governed by a board of directors, with specified powers and duties related to the operation of public transit services serving the County of Santa Cruz.

This bill would authorize the board of directors of the district to adopt ordinances that prohibit certain activities with respect to the district's operation, including the giving of false information to a district employee or contracted security officer engaged in the enforcement of ordinances or state law, otherwise obstructing the issuance of a citation, unauthorized operation or interference with transit facilities or property, and related matters. The bill would also authorize the adoption of an ordinance that specifies the conditions under which bicycles may be carried. The bill would authorize district employees or contracted security officers to enforce these and other related provisions, as specified. The bill would authorize the board to provide that a violation of the ordinances is an infraction, with maximum specified fines and community service time. By providing for the creation of a new crime, this bill would thereby impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 98120 is added to the Public Utilities  
2 Code, to read:  
3 98120. (a) The board of directors may adopt ordinances that  
4 do any of the following:  
5 (1) Prohibit persons from knowingly giving false information  
6 to a district employee, or contracted security officer, engaged in  
7 the enforcement of district ordinances or state law, or otherwise  
8 obstructing the issuance of a citation for violation of district  
9 ordinances or state law.  
10 (2) Prohibit unauthorized operation of, interference with, entry  
11 into, climbing upon, attaching to, or loitering on or in, transit  
12 facilities or other transit property.  
13 (3) Prohibit the removal, displacement, injury, destruction, or  
14 obstruction of any district structure or fixture.  
15 (4) Specify conditions under which a passenger may board a  
16 district vehicle with a bicycle and where the bicycle may be stowed.  
17 (b) The board may provide that a violation of any ordinance  
18 adopted pursuant to subdivision (a) is an infraction punishable by  
19 a fine not exceeding seventy-five dollars (\$75), and that a violation  
20 by a person after the second conviction is punishable by a fine not  
21 to exceed two hundred fifty dollars (\$250) and by community  
22 service for a total time not to exceed 48 hours over a period not to  
23 exceed 30 days that do not conflict with the violator's hours of  
24 school attendance or employment.  
25 (c) This section does not prohibit any person from engaging in  
26 activities that are protected under the laws of the United States or  
27 of California, including, but not limited to, picketing,  
28 demonstrating, or distributing handbills.  
29 (d) A district employee, or contracted security officer, may  
30 enforce any ordinance adopted pursuant to this section as provided  
31 in subdivision (e) of Section 830.7 of the Penal Code and may  
32 enforce violations of Sections 640 and 640.5 of the Penal Code  
33 when so authorized by an ordinance adopted by the board.

1 (e) Nothing in this section shall affect any rights or immunities  
2 conferred pursuant to Section 836.5 of the Penal Code.

3 SEC. 2. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district will be incurred because this act creates a new crime or  
7 infraction, eliminates a crime or infraction, or changes the penalty  
8 for a crime or infraction, within the meaning of Section 17556 of  
9 the Government Code, or changes the definition of a crime within  
10 the meaning of Section 6 of Article XIII B of the California  
11 Constitution.